

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JEAN POLIVKA,

Plaintiff,

VS.

MICHAEL CHERTOFF,
SECRETARY OF HOMELAND
SECURITY, UNITED STATES
DEPARTMENT OF HOMELAND
SECURITY,

Defendant.

4:06CV3200

ORDER

Inasmuch as Plaintiff has filed an amended complaint with leave of court,

IT IS ORDERED that:

1. Defendant's motion to dismiss, etc. (filing 13), filed with reference to Plaintiff's original complaint, is denied without prejudice, as moot.
2. The parties shall meet and confer and file their Rule 26(f) planning conference report within twenty (20) days of today's date.

March 6, 2007.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge